

WC 08-52
DOCKET FILE COPY ORIGINAL

STAMP & RETURN
FILED/ACCEPTED

APR - 3 2008

BEFORE THE
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

Federal Communications Commission
Office of the Secretary

In the Matter of)
Section 63.71 Application of)
Comcast Phone of Massachusetts, Inc.)
Comcast Phone of New Hampshire, LLC)
for Authority Pursuant to)
Section 214 of the Communications)
Act to Discontinue the Provision)
of Comcast Digital Phone)
Telecommunications Service in)
Massachusetts and New Hampshire)

File No. _____

SECTION 63.71 APPLICATION

Comcast Phone of Massachusetts, Inc. and Comcast Phone of New Hampshire, LLC (collectively, "Comcast Phone"), hereby seek authorization pursuant to Section 214(a) of the Communications Act of 1934, as amended, 47 U.S.C. § 214(a), and Section 63.71 of the Commission's Rules, 47 C.F.R. § 63.71, to discontinue the provision of certain telecommunications service offerings (marketed to the public under the brand name "Comcast Digital Phone" ("CDP")) to certain customers in Massachusetts and New Hampshire (the "Service Areas").

As explained below, this application is related to the discontinuance application that Comcast Phone filed for the New Hampshire, Massachusetts, Pennsylvania and Ohio Service Areas on February 20, 2008, which the Commission placed on public notice on March 28, 2008 (WC Docket Number 08-45) (the "08-45 Application"). Comcast Phone plans to discontinue service to customers covered by the 08-45 Application on April 29, 2008. Since filing the 08-45 Application, however, Comcast Phone has learned that approximately 2200 CDP customers in Massachusetts and New Hampshire did not receive the discontinuance notices which were

attached to the 08-45 Application. On April 2, 2008, Comcast sent those 2200 customers the notices which are attached to this new application ("New Application"). These new notices, which pertain to customers covered by this New Application, explain that Comcast plans to discontinue CDP to the New Application customers on May 15, 2008. The April 29, 2008 discontinuance date applicable to customers who received proper notice under the 08-45 Application remains unchanged.

In support of this New Application, Comcast Phone provides the following information:

I. Information Required by 47 C.F.R. § 63.71(a)(1) – (a)(4)

1. Name and Address of Carrier

Comcast Phone of Massachusetts, Inc.
One Comcast Center, 50th Floor
Philadelphia, PA 19103
Attn: Brian A. Rankin

Comcast Phone of New Hampshire, LLC
One Comcast Center, 50th Floor
Philadelphia, PA 19103
Attn: Brian A. Rankin

2. Date of Planned Service Discontinuance

Comcast plans to discontinue service to the New Hampshire and Massachusetts customers affected by this New Application on May 15, 2008.

On February 20, 2008, Comcast Phone filed an application with the Commission requesting authority to discontinue the provision of certain domestic telecommunications services in the Service Areas on or after April 29, 2008 (WC Docket No. 08-45).¹ That

¹ The Feb. 20, 2008 application, WC Docket No. 08-45, also requested authority to discontinue Comcast's CDP offering in Ohio and Pennsylvania on or after April 29, 2008. All affected customers in Ohio and Pennsylvania were sent notice of the proposed April 29, 2008 discontinuance. Thus, the proposed May 15, 2008 discontinuance does not apply to customers in Ohio and Pennsylvania, as they remain subject to the proposed April 29, 2008 discontinuance.

application represented that notice of the proposed April 29, 2008 discontinuance was sent to customers in the Service Areas on January 25, 2008.

However, certain customers in the Service Areas did not receive notice of the proposed April 29, 2008 discontinuance. For these particular customers, Comcast Phone plans to discontinue the provision of its CDP offering on or after May 15, 2008 (but no earlier than 31 days after the Commission releases public notice of this filing), and, accordingly, provide notice of the proposed May 15, 2008 discontinuance to these customers. Comcast Phone otherwise maintains its request to discontinue its CDP offering for all previously notified customers in the Service Areas on or after April 29, 2008, pursuant to its application under WC Docket No. 08-45.

The proposed May 15, 2008 disconnection will be a "soft disconnect" only. Customers affected by the proposed May 15, 2008 will continue to be able to call emergency services ("911") as well as the Comcast Phone call center until June 15, 2008 (or one month after the authorized disconnection date). Comcast Phone will continue to provide other telecommunications services in the Service Areas after the proposed discontinuance.

3. Points of Geographic Areas of Service Affected

Comcast Phone currently provides interstate (and intrastate) telecommunications service throughout the Service Areas. Comcast Phone is following the appropriate state laws for discontinuance of the applicable CDP offering in each of the Service Areas. Comcast Phone will assist affected customers during their transition to new carriers.

4. Description of Type of Service Affected

Pursuant to this application, Comcast Phone seeks authority to discontinue its CDP offering only. Each of the Comcast Phone operating entities will continue to provide various

telecommunications services in the Service Areas, including various telephone exchange and exchange access service offerings.

II. Notice to Customers

In accordance with 47 C.F.R. § 63.71(a), Comcast Phone has notified customers affected by the proposed May 15, 2008 discontinuance of its CDP offering. Specifically, Comcast Phone sent letters via first class U.S. Mail to each of the affected customers in the Service Areas on April 2, 2008, which included all the information required by 47 C.F.R. § 63.71(a)(1) – (a)(4), as well as the statement applicable to non-dominant carriers set forth in 47 C.F.R. § 63.71(a)(5)(i). Copies of the notification letters sent to customers in each of the Service Areas are provided as Attachment 1.

III. Notice to States and the Dept. of Defense

In accordance with 47 C.F.R. 63.71(a), Comcast Phone has mailed a copy of this Application to the Governors of Massachusetts and New Hampshire, the Massachusetts Department of Telecommunications and Cable, the New Hampshire Public Utilities Commission, and the Secretary of Defense.

IV. Non-Dominant Status

Comcast Phone is a non-dominant carrier in the local exchange, interstate, and interexchange services markets.


V. Designated Contacts

Correspondence concerning this Application should be directed to:

Michael C. Sloan
Davis Wright Tremaine, LLP
1919 Pennsylvania Avenue, N.W.
Suite 200
Washington, DC 20006
(202) 973-4227
michaelsloan@dwt.com

WHEREFORE, Comcast Phone of Massachusetts, Inc. and Comcast Phone of New Hampshire, LLC request that the Commission authorize the discontinuance of the Comcast Digital Phone telecommunications service offering for certain customers in each of the Service Areas on or after May 15, 2008, or 31 days after the Commission releases public notice of this filing, which ever date is earlier.

Respectfully submitted:



Michael C. Sloan
Brian J. Hurh
Davis Wright Tremaine, LLP
1919 Pennsylvania Ave., N.W., Suite 200
Washington, D.C. 20006
Telephone: (202) 973-4227
Facsimile: (202) 973-4499

Counsel for Comcast Phone of Massachusetts, Inc.
and Comcast Phone of New Hampshire

Dated: April 3, 2008

Attachment 1
Sample Customer Notification Letter



Comcast
676 Island Pond Road
Manchester, NH 03109
comcast.com

April 2, 2008

**YOUR COMCAST DIGITAL PHONE SERVICE
WILL BE DISCONTINUED ON MAY 15, 2008**

**YOU MUST CHOOSE A NEW LOCAL AND LONG-DISTANCE TELEPHONE
SERVICE PROVIDER**

Dear Valued Comcast Customer,

On or shortly after May 15, 2008, subject to federal regulatory approval, Comcast plans to discontinue the Comcast Digital Phone telephone service offering that you currently receive. In order to assure continued service and to retain your current telephone number, you must choose a new service provider immediately. You also must select a new long distance provider if you currently use Comcast Digital Phone for your long distance service. Please call us at **1-800-704-6091** for assistance.

The discontinuance of your Comcast Digital Phone service is subject to regulatory approval by the Federal Communications Commission (FCC). The FCC will normally authorize this proposed discontinuance of service unless it is shown that customers would be unable to receive service or a reasonable substitute from another carrier or that the public convenience and necessity is otherwise adversely affected. If you wish to object, you should file your comments as soon as possible, but no later than 15 days after the Commission releases public notice of the proposed discontinuance. Address them to the Federal Communications Commission, Wireline Competition Bureau, Competition Policy Division, Washington, DC 20554, and include in your comments a reference to the § 63.71 Application of Comcast Phone of Massachusetts, Inc. Comments should include specific information about the impact of this proposed discontinuance upon you or your company, including any inability to acquire reasonable substitute service.

You continue to have a choice for local and long distance phone service and you are free to select a new provider of your choice.

A list of alternative service providers may be found in your local telephone directory. You may also choose Comcast Digital Voice*, a new service that Comcast is now offering in your area. **Please call us at 1-800-704-6091 for assistance.**

Sincerely,

John R. Waddell
NorthCentral Division
Division Vice President of Sales & Marketing

*Comcast Digital Voice is subject to Comcast standard terms and conditions of service. 30 day Limited Guarantee limited to one month service fee actually paid when service is cancelled during the first 30 days of service installation. No separate long-distance carrier connection available. Plan does not include international calls. Comcast Digital Voice service (including 911/emergency services) may not function after an extended power outage. Certain customer premises equipment may not be compatible with Comcast Digital Voice services. Caller ID equipment is required and an EMTA from Comcast is required for telephone service. \$29.95 activation fee applies to Comcast Digital Voice service. Not all services available in all areas. Please call your local Comcast office for restrictions and complete details about service, prices and equipment. Comcast ©2008. All rights reserved.

NESDM-040208-MA



Comcast
676 Island Pond Road
Manchester, NH 03109
comcast.com

April 2, 2008

**YOUR COMCAST DIGITAL PHONE SERVICE
WILL BE DISCONTINUED ON MAY 15, 2008**

**YOU MUST CHOOSE A NEW LOCAL AND LONG-DISTANCE TELEPHONE
SERVICE PROVIDER**

Dear Valued Comcast Customer,

On or shortly after May 15, 2008, subject to regulatory approval, Comcast plans to discontinue the Comcast Digital Phone telephone service offering that you currently receive. In order to assure continued service and to retain your current telephone number, you must choose a new service provider immediately. You also must select a new long distance provider if you currently use Comcast Digital Phone for your long distance service. Please call us at **1-800-704-6091** for assistance.

The discontinuance of your Comcast Digital Phone service is subject to regulatory approval by the Federal Communications Commission (FCC). The FCC will normally authorize this proposed discontinuance of service unless it is shown that customers would be unable to receive service or a reasonable substitute from another carrier or that the public convenience and necessity is otherwise adversely affected. If you wish to object, you should file your comments as soon as possible, but no later than 15 days after the Commission releases public notice of the proposed discontinuance. Address them to the Federal Communications Commission, Wireline Competition Bureau, Competition Policy Division, Washington, DC 20554, and include in your comments a reference to the § 63.71 Application of Comcast Phone of New Hampshire, LLC. Comments should include specific information about the impact of this proposed discontinuance upon you or your company, including any inability to acquire reasonable substitute service.

You continue to have a choice for local and long distance phone service and you are free to select a new provider of your choice.

A list of alternative service providers may be found in your local telephone directory. You may also choose Comcast Digital Voice*, a new service that Comcast is now offering in your area. **Please call us at 1-800-704-6091 for assistance.**

Sincerely,

John R. Waddell
NorthCentral Division
Division Vice President of Sales & Marketing

*Comcast Digital Voice is subject to Comcast standard terms and conditions of service. 30 day Limited Guarantee limited to one month service fee actually paid when service is cancelled during the first 30 days of service installation. No separate long-distance carrier connection available. Plan does not include international calls. Comcast Digital Voice service (including 911/emergency services) may not function after an extended power outage. Certain customer premises equipment may not be compatible with Comcast Digital Voice services. Caller ID equipment is required and an EMTA from Comcast is required for telephone service. \$29.95 activation fee applies to Comcast Digital Voice service. Not all services available in all areas. Please call your local Comcast office for restrictions and complete details about service, prices and equipment. Comcast ©2008. All rights reserved.